

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT LEE MURRAY, as Leviticus
Lucifer et al. Tribe of Shabazz descendent of
Hebrew slaves,

Plaintiff,

-against-

DONALD TRUMP INC.; JOHN DOE
CORPORATION, Built of the back of
slavery; JOHN DOE; DONALD TRUMP,

Defendants.

22-CV-7924 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated September 16, 2022, the Court dismissed this action because Plaintiff had filed a duplicate action, opened under docket number 22-CV-7743 (LTS), and no useful purpose would be served by litigating this action as well. The Clerk of Court entered judgment on the same day.

On November 4, 2022, Plaintiff filed a notice of appeal and a motion for an extension of time to file the notice of appeal. On August 28, 2023, the United States Court of Appeals for the Second Circuit dismissed Plaintiff's appeal "because it 'lack[ed] an arguable basis either in law or fact.'" *Murray v. Trump*, No. 22-2939 (2d Cir. Aug. 28, 2023) (quoting *Neitzke v. Williams*, 490 U.S. 319, 325 (1989)).

Because the Court of Appeals dismissed Plaintiff's appeal, and it is no longer pending, Plaintiff's motion for an extension of time to file his appeal is no longer necessary. Accordingly, the Court denies the motion as moot and directs the Clerk of Court to terminate the motion (ECF 6).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: September 6, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge